

REMARKS

Claims 2-6 and 8-14 are pending in this application. By this Supplemental Amendment, claims 2, 8, 13 and 14 are amended. No new matter is added. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Further to the Request for Reconsideration filed on June 21, 2006, this Supplemental Amendment is in response to the Office Action mailed March 21, 2006. The Office Action rejects claims 2-6 and 8-14 under 35 U.S.C. §103(a) over JP-A-2002-50090 ("JP 090") in view of U.S. Patent No. 6,405,122 to Yamaguchi. This rejection is respectfully traversed.

The invention disclosed in JP 090 appears to be directed to air flow pulsation in an internal combustion engine with variable valve timing. In Yamaguchi, the invention appears to be directed to using certain engine data inputs, such as intake air pressure, to estimate unmeasured engine operating states. Neither JP 090 nor Yamaguchi, either alone or in combination, suggests the features claimed in the present application.

As recited in amended claim 2, the control device in this application includes "an air charge amount calculation module, comprised of an intake piping model, an intake valve model and a correction execution module." Claim 2 further recites that the "calculation model is a model wherein the intake piping model estimates pressure within the intake air passage based on an output signal of the flow rate sensor, and the intake valve model utilizes the estimated pressure to calculate air charge amount to the combustion chamber." Finally, claim 2 recites the feature that "the correction execution module executes correction of the intake valve model by a difference between the estimated pressure and pressure measured by the pressure sensor." The inventions disclosed in JP 090 and Yamaguchi do not include all of the features of an intake piping model, an intake valve model, and a correction execution module, which executes correction of the intake valve model by a difference between an

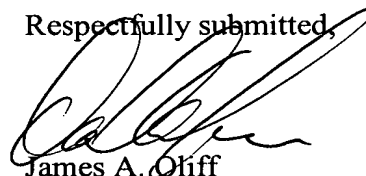
estimated pressure and a pressure measured by a pressure sensor. Similar features are recited in independent claims 8, 13 and 14.

For at least the foregoing reasons, independent claims 2, 8, 13 and 14 are distinctly patentable over the prior art. Further, the claims depending from claims 2 and 8 are also allowable for the foregoing reasons, as well as for the additional features they recite. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 2-6 and 8-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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